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Marlene H. Dortch, Secretary
Federal Communications Commission
Washington, DC 20554

Re: GN Docket No. 12-268
Notification of Written *Ex Parte* Communication

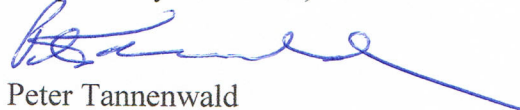
Dear Ms. Dortch:

Attached is a written *ex parte* communication sent today by e-mail to the following:

Acting Chairwoman Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
Commission Staff of the Incentive Auction Task Force, Office of Strategic Planning &
Policy Analysis: Gary M. Epstein, Edward Smith, and Amaryllis Flores.

The presenter was WatchTV, Inc., 855 Harbor Court, Southlake, TX 76092.

Respectfully submitted,



Peter Tannenwald

Attachment



Where is the 'I' in the 'VIA'?

Inquiring Broadcasters **NEED** to know . . .

vol·un·tary *adjective* \ˈvā-lən-,ter-ē\
: done or given because you want to and
not because you are forced to : done or
given by choice



The “V”

The NAB successfully persuaded Congress to include the word **Voluntary** in the statute authorizing the FCC to conduct an Auction of certain spectrum currently allocated for use by broadcasters.

The “**V**” also created a clear need for the FCC to define and promote to broadcasters, why it is in their best interest to consider participation in the Auction process.

auc·tion *noun* \ˈɒk-shən\

: a public sale at which things are sold to the people who offer to pay the most



The “A”

The FCC was granted the necessary authority by Congress, to hold their much publicized and promoted need for an additional **Auction** to reallocate more broadcast spectrum.

Whether to head off an unverified and supposedly looming “Spectrum Crisis”, or to raise legitimately needed revenue for the U.S. treasury, the “**A**” became a reality with only the methodology yet to be determined.



SO, where IS the 'I' in the 'VIA'?

in·cen·tive *noun* \in-'sen-tiv\
: something that encourages a person to
do something or to work harder



The “I”

There is little or no information on the actual, verifiable and tangible **Incentives** for broadcasters to participate in the VIA. In fact, there may be more information on the **Dis-Incentives** for participation.

Examples: The talk of “scoring” to reduce potential license value; A swirling morass of channel plans creating shifting variables for who “gets” to participate and how much spectrum is actually needed; Intense enforcement actions against eligible stations eager to participate; And, requiring Auction eligible stations to continue broadcasting and incurring additional operating losses.

So, just where is the “I” in the VIA?



Critical Questions

Requiring Immediate Answers

- **Will my station(s) be in the Auction?**
- **When can my station(s) go dark?**
- **How much will my station(s) be worth?**
- **When will I be paid?**

Some Suggestions . . .



- 1. Immediately contact all stations needed for a successful Auction**
 - a) Dilute the corrosive effects of the uncertainty surrounding the VIA**
- 2. Share all relevant information necessary to encourage participation with the aforementioned stations**
 - a) How much spectrum will be needed in each market**
 - b) What is the opening FCC bid**
 - c) What is the impact of repacking if a station does not participate**
- 3. Make it easy for Broadcasters to participate**
 - a) Allow licensees willing to enter the Auction to cease operations**
 - Stop creating audience dependence on programming**
 - Ease financial burdens related to operations**
 - Contend with long term content/advertising agreements**
 - b) Stop the Class A Witch-Hunt**
- 4. Clearly define the future of the LPTV service after the repack**
 - a) Displacement opportunities**
 - b) Primary status**
 - c) Flexible Use**



Thank You

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